

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:13-cv-404

UNITED STATES OF AMERICA *ex rel*
TRAVIS THAMS, RELATOR, and on behalf
of the STATES of CALIFORNIA,
COLORADO, CONNECTICUT,
DELAWARE, FLORIDA, GEORGIA,
HAWAII, ILLINOIS, INDIANA,
LOUISIANA, MASSACHUSETTS,
MICHIGAN, MINNESOTA, MONTANA,
NEVADA, NEW HAMPSHIRE, NEW
JERSEY, NEW MEXICO, NEW YORK,
NORTH CAROLINA, OKLAHOMA, RHODE
ISLAND, TENNESSEE, TEXAS, VIRGINIA,
WISCONSIN and the DISTRICT OF
COLUMBIA,

Plaintiffs,

vs.

CARDIOVASCULAR SYSTEMS, INC.,

Defendant.

ORDER

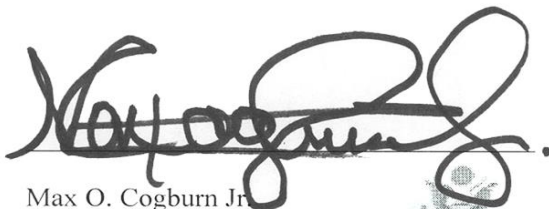
Having considered the United States' Joint Notice of Dismissal (#27), the Court finds that the United States has intervened in part in this action for the purposes of effectuating the settlement agreement (the "Agreement") among the United States, defendant Cardiovascular Systems, Inc. ("CSI") and relator Travis Thams (the "Relator"), pursuant to the United States False Claims Act, the "False Claims Act"), and the United States, has filed a Joint Notices of Dismissal pursuant to Fed. R. of Civ. P. 41(a)(1)(A); and

IT IS HEREBY ORDERED THAT:

1. Consistent with the terms of the Agreement, the claims asserted by the Relator in this action on behalf of the United States against CSI for the Covered Conduct as defined in the Agreement are dismissed with prejudice as to all parties;
2. Except for the Relator's outstanding claims for statutory attorney's fees and costs under 31 U.S.C. § 3730(d) the remaining False Claims Acts claims asserted by Relator against all defendants are dismissed with prejudice to the Relator and without prejudice as to the United States;
3. The claims of the State Plaintiffs ("Plaintiff States") named in the complaint brought by the Relator on behalf of the Plaintiff States are dismissed with prejudice as to the Relator and without prejudice as to the Plaintiff States.
4. The Court shall retain jurisdiction over the United States, CSI and Relator to the extent necessary to enforce the terms and conditions of the Agreement.

IT IS SO ORDERED.

Signed: July 11, 2016


Max O. Cogburn Jr.
United States District Judge